

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.879 OF 2006

IN
SUIT NO.6846 OF 1999

Regency Convention Centre &
Hotels Pvt. Ltd.

... Plaintiff

V/s.

The Airports Authority of
India & Ors.

... Defendants

Mr.Shyam Diwan with Kalpesh Joshi i/b M/s.Malvi
Ranchhoddas & Co. for Plaintiff
Ms.Rekha Tawade i/b M.V. Kini & Co. for Defendant No.1
Mr.V.M. Bodke i/b Desai & Diwanji for Defendant Nos.2
to 16

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **MARCH 21, 2006**

P.C.:

. This Motion has been taken out by the Plaintiff for appointment of Court Receiver in respect of land admeasuring 72103 sq.mtrs. described in the annexure to the affidavit in support of the Motion. In the alternative, it is prayed that Court Receiver be appointed in respect of the land admeasuring 31000 sq.mtrs. described in the annexure to the affidavit in support of the Motion and an injunction in respect of that property is also sought.

2. By an order dated 2.5.2001, this Court while disposing off Notice of Motion No.1277 of 2000 had accepted the statement made on behalf of Defendant No.1 that the land admeasuring 31000 sq.mtrs. which was

demarcated would be used by Defendant No.1 for its own purpose as far as possible without raising any permanent construction on the plot of land. It is further directed that in the event it became necessary for Defendant No.1 to raise a permanent construction, the work of construction would not be started without giving two weeks' notice to the plaintiff after sanctioning of the building plans by the Planning Authority

3. The learned Advocate appearing for Defendant No.1 states that Defendant No.1 has not so far and will not create any third party rights in respect of the land admeasuring 31000 sq.mtrs. which has been claimed by the plaintiff in the present suit during the pendency of the suit. She also states that Defendant No.1 will abide by the statement made earlier which is recorded by this Court in the order dated 2.5.2001.

4. In view of this statement made by the learned Counsel for Defendant No.1, the Motion is disposed of.